

Administrative Policy and Procedure Manual Kansas
Department of Health and Environment Bureau of
Family Health

Policy: Exception to allow a program director as defined
in K.A.R. 28-4-420(w) to waive requirements in K.A.R. 28-
4-429(e)(1)(A) or (B).

Program CCL – Early Care and Youth Programs

Applies to: Child Care Centers and Preschools

Effective Date: January 24, 2023

**EXCEPTION TO K.A.R. 28-4-429(e)(1)(A) OR (B) IS GRANTED TO ALLOW FOR THE
PROGRAM DIRECTOR QUALIFICATIONS ACHIEVED IN KAR 28-4-429(d) TO APPLY WHEN
SERVING IN A FACILITY LICENSED FOR MORE THAN ONE HUNDRED CHILDREN.**

I. POLICY

K.A.R. 28-4-429(a) states: Program directors shall be 18 years of age or older and meet the training requirements for the license capacity of the facility.

An exception to K.A.R. 28-4-429(e)(1)(A) OR (B) is granted to waive the requirements in K.A.R. 28-4-429(e)(1)(A) or (B).

A program director must demonstrate they have met one of the five options in K.A.R. 28-4-429(d) and document program director experience as required in K.A.R. 28-4-429(e)(2).

NOTE: K.A.R. 28-4-429(f) and (g) are still applicable.

II. PROCEDURES

This exception is effective on the date stated above and remains in effect unless the Department determines the exception is no longer in the best interest of children and families. Supporting documentation must be maintained on file at the facility and supplied to the Department or its designee (e.g., local licensing surveyor) upon request.

III. PURPOSE

The purpose of this exception is to allow greater flexibility to program operations and reduce barriers to Program Director staff with facilities with a licensed capacity of one hundred or more children.

IV. AUTHORITY

The Secretary of the Kansas Department of Health and Environment has the authority to grant exceptions to regulations when it is in the best interest of children and families pursuant to K.A.R. 28-4-422(f)(1).

Program Director



Bureau Director

